

2001 DRAFTING REQUEST**Bill**Received: **08/23/2001**Received By: **champra**Wanted: **As time permits**

Identical to LRB:

For: **Robert Welch (608) 266-0751**By/Representing: **Brad**This file may be shown to any legislator: **NO**Drafter: **champra**

May Contact:

Addl. Drafters:

Subject: **Gambling - lottery**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Binding referendum of continuation of state lottery

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	champra 09/18/2001	csicilia 09/18/2001	kfollet 09/18/2001	_____	lrb_docadmin 09/18/2001	lrb_docadminS&L 09/24/2001	

FE Sent For:

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Page 1

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1?	champra	1 qs 9/18 01	kj 9/18	kj/lf 9/18			

FE Sent For:

<END>

Senator Welch

REVENUE - LOTTERY ADMINISTRATION

Referendum on the Elimination of the Lottery

Motion:

Move to require a binding, statewide referendum on the elimination of the state lottery at the November, 2002, general election. Provide that, if voters affirm the question to eliminate the lottery, lottery sales would terminate, effective January 1, 2003.

If the referendum question to eliminate the lottery is affirmed, require the Governor to propose as part of the 2003-05 biennial budget bill the statutory and budgetary provisions necessary to effectuate the termination of the lottery and to address the legal responsibilities of the state relating to the termination of the lottery.

If the referendum is approved, require the Department of Revenue (DOR) to submit a proposed plan to the Joint Committee on Finance for the phase-out of lottery operations, including: (a) a description and status of the Department's layoff plan relating to lottery-funded employees; (b) the status and termination schedule of outstanding lottery contracts; and (c) the operational structure required to carryout the responsibilities of the Department relating to prize payouts, the administration of the lottery and gaming credit, the recovery of lottery on-line equipment, the disposal of fixed assets and any other matters the Department determines would bear on the legal responsibilities of the state relating to the termination of the lottery. Require that the plan be submitted to the Committee on or before February 1, 2003. Provide that, if, within 14 working days after the date on which the Committee receives the plan, the Co-chairs of the Committee notify the Department that the Committee has scheduled a meeting for the purpose of reviewing the proposed plan, the Department may proceed with its plan only upon approval of the plan by the Committee. Provide that if the Co-chairs of the Committee do not notify the Department within 14 working days after the date on which the Committee receives the proposed plan that the Committee has scheduled a meeting for the purpose of reviewing the proposed plan, the plan would be considered approved by the Committee.

Note:

The motion would require a referendum on the continuing operation of the lottery. If voters affirm the elimination of the lottery, lottery sales would terminate on January 1, 2003, and the Governor would be required to address, in the Governor's 2003-05 biennial budget bill, the statutory and budgetary modifications necessary to terminate the state lottery.

Motion #230

TO: Rick Champagne
Re: Welch budget motion to convert to state bill
Fax: 4-6948
Thanks - Brad Boyles



(D-Note)
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3658/1

RAC: /.....

FRI (if possible)

cjs

2001 BILL

Gen Cat
section 1 of
1 AN ACT */*...; relating to: prohibiting the sale of lottery tickets or shares and
2 requiring a referendum on the abolition of the state lottery

Analysis by the Legislative Reference Bureau

This bill provides that, beginning on January 1, 2003, no person, including a lottery retailer and the department of revenue, may sell a lottery ticket or lottery share under the state lottery. The bill, however, does not take effect until there is submitted to the vote of the electors at the general election in November 2002 the question, "Shall 2001 Wisconsin Act ... (this act), which prohibits the sale of lottery tickets or shares under the state lottery, become law effective January 1, 2003?", and the question is approved by a majority of all votes cast on the question at the election.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

Create auto reb D
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 565.012 of the statutes is created to read:

4 **565.012 Sale of lottery tickets and lottery shares prohibited.** *(X)*

5 Notwithstanding s. 565.17 (1), beginning on January 1, 2003, no person, including
6 a retailer and the department, may sell a lottery ticket or lottery share.

BILL

SECTION 1. Nonstatutory provisions.

(1) REFERENDUM. There shall be submitted to the vote of the electors at the general election in November 2002 the following question: "Shall 2001 Wisconsin Act (this act), which prohibits the sale of lottery tickets or shares under the state lottery, become law effective January 1, 2003?" If the question is approved by a majority of all votes cast on the question at the election, ~~the treatment of Section 565.012 of the statutes~~ shall become law; otherwise, ~~the treatment of Section 565.012 of the statutes~~ shall not take effect.

(2) DEPARTMENT OF REVENUE.

(a) If the question that is submitted to the vote of the electors under subsection (1) is approved by a majority of all votes cast on the question at the election, the secretary of revenue, no later than February 1, 2003, shall submit a proposed plan to the joint committee on finance for the phase-out of state lottery operations that includes all of the following:

1. The layoff plan for employees of the department of revenue whose salary and fringe benefits are paid from moneys in the lottery fund.
2. The status and termination schedule of outstanding contracts entered into by the department of revenue relating to the state lottery.
3. The operational structure required to carry out the responsibilities of the department of revenue relating to prize payouts, the administration of the lottery and gaming credit, the recovery of lottery on-line equipment, the disposal of fixed assets, and any other matter that the secretary determines would affect the legal responsibilities of the state relating to the termination of the state lottery.

(b) If the cochairpersons of the joint committee on finance do not notify the secretary of revenue within 14 working days after the date of the secretary's

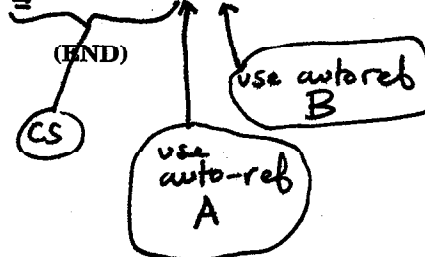
BILL

1 submittal that the committee intends to schedule a meeting to review the plan, the
2 secretary shall implement the plan. If, within 14 working days after the date of the
3 secretary's submittal, the cochairpersons of the committee notify the secretary that
4 the committee intends to schedule a meeting to review the plan, the secretary may
5 implement the plan only as approved by the committee.

6 (c) If the implementation of the plan approved under subsection (b) requires
7 the enactment of legislation, the secretary shall prepare and submit the proposed
8 legislation to the joint committee on finance no later than April 1, 2003.

9 **SECTION 3. Effective dates.** This act takes effect on the day after publication,
10 except as follows:

11 (1) The treatment of section 565.012 of the statutes takes effect on January 1,
12 2003, if the condition set forth in SECTION 2 (1) of this act is satisfied.



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3658/1dn

RAC:.....

q's

Senator Welch:

Instead of having the governor prepare legislation in the biennial budget bill relating to the abolition of the state lottery, I provided that the secretary of revenue must submit proposed legislation to the joint committee on finance no later than April 1, 2003. The reason I did this is that the department of revenue's implementation plan may require the enactment of legislation and the plan may not be approved by the joint committee on finance until after the governor has submitted the biennial budget bill to the legislature.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3658/1dn
RAC:cjs:kjf

September 18, 2001

Senator Welch:

Instead of having the governor prepare legislation in the biennial budget bill relating to the abolition of the state lottery, I provided that the secretary of revenue must submit proposed legislation to the joint committee on finance no later than April 1, 2003. The reason I did this is that the department of revenue's implementation plan may require the enactment of legislation and the plan may not be approved by the joint committee on finance until after the governor has submitted the biennial budget bill to the legislature.

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STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

September 18, 2001

MEMORANDUM

To: Senator Welch

From: Rick A. Champagne, Senior Attorney

Re: LRB-3658/1 Binding referendum of continuation of state lottery

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

____ JACKET FOR ASSEMBLY ~~_____~~ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9930 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.